

CITY COUNCIL MINUTES  
JANUARY 12, 2006

**City Council Minutes**

The Round Rock City Council met Regular Session on Thursday, January 12, 2006, in the City Council Chamber, 221 E. Main Street.

CALL REGULAR SESSION TO ORDER - 7:04 P.M.

PLEDGE OF ALLEGIANCE

Mayor Maxwell asked Boy Scout Troop No. 27 and 145 to lead the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember Scott Rhode. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

SWEAR IN NEWLY ELECTED COUNCILMEMBER FOR PLACE 6.

Ted Williamson was sworn into office by Williamson County Judge Ken Anderson, 277<sup>th</sup> District Court.

Councilmember Williamson thanked his family, friends, and citizens who supported him in his effort for Place 6.

CITIZENS COMMUNICATIONS:

Melissa Garza, 500 E. Logan Street, expressed her concern regarding the traffic problems on E. Logan Street. She stated that a traffic study was conducted by the city which resulted in 7,454 vehicles traveled on E. Logan Street during a 24-hour period. Ms. Garza asked that more traffic related signs be placed along E. Logan Street.

PRESENTATIONS:

6.A.1. Consider a presentation regarding the Williamson County Regional Animal Shelter.

David Kautz, Assistant City Manager introduced this item. He noted that the Animal Shelter will be a County Department. Kathy Grimes, Assistant to Commissioner Frankie Limmer and Larry Connolly, Architect for the project gave an update on the Williamson County Regional Animal Shelter. Ms. Grimes gave an overview of the following:

- Proposed Business Plan

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- Estimated Expenses
- Adoption Fees
- License Fees
- Other Revenue Sources
  - Owner Surrender of animals
  - Quarantine Fees
  - Training
  - Owner requested euthanasia
  - Micro-chipping pets
  - Fundraisers such as Pet Photo's
  - Donations from animal supporters

Mr. Connolly gave a brief overview of the design for the facility and explanation of the site plan.

The Council discussed with Ms. Grimes and Mr. Connolly the proposed expenditures and revenues and design of the facility.

6.A.2. Consider a presentation regarding the City's 10-Year Comprehensive Operational Plan. Will Hampton, Communications Director made the staff presentation. He gave an update on the 10-Year Comprehensive Operational Plan that will be presented to the public at Open Houses in January. Staff has been working on the 10-Year Plan for the last several months because in two years, if no changes are made in department spending patterns and if the City's revenue projections stay on track, the City will face a deficit. The public will be asked for their advice on the level of service the City provides to its customers to help staff in long-range planning; will be showed features and costs of providing different levels of service; and will be asked to fill out an "Advice Scorecard" to record their preferences. The exercise will be focused on Seven (7) Core Services that compete for General Fund dollars. Those are:

- Library Services
- Maintain Order, Enforce Laws
- Provide Fire Response
- Provide Emergency Medical Response
- Provide Open Space, Park Facilities
- Provide Recreational Facilities, Activities
- Provide Urban Infrastructure

About the Open Houses

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- All Open House meetings are on a come and go style event. There are no formal oral presentations. So citizens can drop by anytime during hours listed
- Everyone who participates in an Open House will have their name entered in a drawing to win a Family Membership to the Clay Madsen Recreation Center, a Season Pass to the Rock n' River Family Aquatic Center.

10-Year Plan Open House meeting schedule

*Regular meetings, 7:00 p.m. to 9:00 p.m.*

- Tuesday, January 17 – Forest Creek Elementary
- Thursday, January 19 – Gattis Elementary
- Monday, January 23 – Round Rock High School
- Tuesday, January 24 – Bluebonnet Elementary
- Monday, January 30 – Old Town Elementary
- Tuesday, January 31 – First Baptist Church

*Bonus meetings*

- Thursday, February 2, 11:00 a.m. to 2:00 p.m. – Clay Madsen Recreation Center
- Saturday, February 4, 2:00 p.m. to 5:00 p.m. – Public Library
- Wednesday, February 8, Noon to 3:00 p.m. – Senior Center

PUBLIC HEARINGS:

7.A.1. Consider public testimony regarding an application filed by the City of Round Rock to adopt original zoning of District OS (Open Space) on 75.074 acres of land. (Wall tract) Jim Stendebach, Planning and Community Development Department Director made the staff presentation. This tract is located south of Kiphen Road and west of Old Settlers Park. It was purchased by the City as an addition to the Old Settlers at Palm Valley Park in July 2004. The Old Settlers Park Master Plan calls for the property to be used for an extreme sports park, a multi-purpose practice complex (ball fields) and a dog park. The Planning and Zoning Commission recommended approval of the zoning request at their December 14, 2005, meeting.

Mayor Maxwell opened the public hearing. There being no testimony, the public hearing was closed.

7.A.2. Consider public testimony regarding an application filed by Today PRA Hickerson, L.P. to amend the driveway locations and phasing in PUD No. 56 (Planned Unit Development). (Randall's Town Centre) Jim Stendebach, Planning and Community Development Department

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Director made the staff presentation. This tract is located south of Gattis School Road and west of A.W. Grimes Boulevard. The applicant is requesting two amendments to the PUD. The first amendment will change the permitted driveway access to allow two driveways onto A.W. Grimes between the two end points of Town Centre Drive instead of just one. Recent platting of the Randall's Town Centre Section 2, provided for five lots. The applicant would like to have two driveways centered on the common lot lines. The proposed alignment has been approved by the Director of Transportation Services and does not impact the Transportation Impact Analysis.

The second amendment eliminates the need to construct the "Town Centre" portion of the PUD prior to the final development of the townhouse portion of the PUD. The original intent of this clause was to ensure that the Town Centre was constructed early in the development of the PUD to act as an anchor for the rest of the development. However, the market has been slow to respond to this concept and the applicant is hopeful that the additional townhouse units will help spur the development of the Town Centre area. The Planning and Zoning Commission recommended approval of the proposed amendments at their December 14, 2005, meeting.

Mayor Maxwell opened the public hearing. There being no testimony, the public hearing was closed.

7.A.3. Consider public testimony regarding an application filed by TRK Investments, LLC to rezone 4.384 acres of land from District LI (Light Industrial) to District PUD No. 67 (Planned Unit Development). Jim Stendebach, Planning and Community Development Department Director made the staff presentation. This tract is located south of E. Lamar Drive and Old Settlers Boulevard and is currently zoned industrial; its neighbors to the west include a veterinarian office and a chiropractor's office. The applicant would like to develop similar uses on his property and is proposing a PUD for this tract that would be limited to professional and medical offices. The PUD will include similar design standards as the existing buildings to the west, such as masonry construction and monument signage. The applicant contacted his neighbor to the east, Toppan Photomasks, to ensure that the proposed non-industrial uses are compatible with Toppan's existing facility. Both the City and Toppan are supportive of the proposed PUD as an appropriate

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fit to this stretch of Old Settlers Boulevard. The Planning and Zoning Commission recommended approval of the proposed PUD at their December 14, 2005, meeting.

Mayor Maxwell opened the public hearing, There being no testimony, the public hearing was closed.

7.A.4. Consider public testimony regarding an application filed by Alice Mae Adams to rezone 0.3505 acres of land from District C-1 (General Commercial with Historic Overlay) to District C-1 (General Commercial). (504 N. Mays) Jim Stendebach, Planning and Community Development Department Director made the staff presentation. This tract is located west of Mays Street and north of W. Milam Avenue. A Historic Overlay was added to this C-1 (General Commercial) tract (504 N. Mays), also known as Adams Garage, in 1993. This tract had a filling station with canopy, which was vacant, a building that houses the business "TexAndwiches", and a motor court, which was used as housing. The canopy on the front of the filling station was removed in 2003 and the filling station building was demolished in 2004. The remaining buildings will be demolished in the near future. The applicant requested the removal of the Historic Overlay from the entire site because the historic integrity of this site is no longer intact and the buildings will no longer be on the site. The Historic Preservation Commission recommended removal of the Historic Overlay in June 2005.

Mayor Maxwell opened the public hearing. There being no testimony, the public hearing was closed.

7.A.5. Consider public testimony regarding an application filed by Spiro Karamalegos to adopt original zoning of District C-1 (General Commercial) on 2.602 acres of land. (501 Louis Henna Boulevard) Jim Stendebach, Planning and Community Development Department Director. This tract is located south of Louis Henna Boulevard, west of Greenlawn Boulevard and east of IH-35. The applicant previously applied for commercial zoning in July 2003 and received a recommendation for approval from the Planning & Zoning Commission. However, the application was withdrawn prior to the subsequent City Council meeting. The Planning and Zoning

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Commission again recommended approval of the zoning request at their December 14, 2005, meeting. The property is currently outside the city limits but will be annexed prior to zoning.

Mayor Maxwell opened the public hearing. There being no testimony, the public hearing was closed.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. There was no separate discussion on any of these items and no items were removed from the consent agenda.

\*9.A. Consider approval of the City Council minutes for November 22, 2005, December 1, 2005, December 15, 2005 and December 28, 2005.

\*11.A.1. Consider a resolution authorizing a property tax refund to WWRR, Ltd. for 2005 taxes in the amount of \$561.55.

\*11.C.2. Consider a resolution authorizing the Mayor to execute an Agreement for Purchase of Printing Services for 4-Color Program Booklets from Ginny's Printing.

MOTION: Councilmember Honeycutt moved to approve all the items on the consent agenda. Councilmember Clifford seconded the motion.

VOTE:           Ayes:       Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
  Councilmember Williamson  
  Mayor Maxwell

Nays:       None

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

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9.A. Consider approval of the City Council minutes for November 22, 2005, December 1, 2005, December 15, 2005 and December 28, 2005. This item was approved under the consent agenda.

ORDINANCES:

10.A.1. Consider an ordinance amending Chapter 3, Section 3.1412 of the Round Rock Code of Ordinances regarding the regulation of outdoor signs in the City's extraterritorial jurisdiction. (First Reading) Jim Nuse, City Manager made the staff presentation. This ordinance will extend the City's sign regulations to that portion of the City's ETJ that is located in the Brushy Creek MUD and that is located more than 150 feet from the public right-of-way of RM 620. The sign regulations will be enforced in these areas from February 1, 2006 through July 31, 2006.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 3, SECTION 3.1412 REGARDING THE REGULATION OF OUTDOOR SIGNS IN THE CITY'S EXTRATERRITORIAL JURISDICTION; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Mayor Pro-tem McGraw moved to approve the ordinance. Councilmember Rhode seconded the motion.

VOTE:           Ayes:       Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
  Councilmember Williamson  
  Mayor Maxwell

Nays:       None

ACTION: The motion carried unanimously.

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10.B.1. Consider an ordinance annexing 75.074 acres of land out of the Willis Donaho

Survey. (Wall tract) (First Reading) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO WIT: 75.074 ACRES OF LAND OUT OF THE WILLIS DONAHO SURVEY, ABSTRACT NO. 173, IN WILLIAMSON COUNTY; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE FUTURE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Rhode moved to approve the ordinance. Councilmember Clifford seconded the motion.

VOTE:           Ayes:       Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
  Councilmember Williamson  
  Mayor Maxwell

                  Nays:       None

ACTION: The motion carried unanimously.

MOTION: Councilmember Honeycutt moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Mayor Pro-tem McGraw seconded the motion.

VOTE:           Ayes:       Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas



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Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

10.B.2. Consider an ordinance adopting original zoning of District OS (Open Space) on 75.074 acres of land out of the Willis Donaho Survey. (Wall tract) (First Reading) Jim

Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.401(2)(a), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE 75.074 ACRES OF LAND OUT OF THE WILLIS DONAHO SURVEY, ABSTRACT NO. 173, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AS DISTRICT OS (OPEN SPACE).

MOTION: Councilmember Williamson moved to approve the ordinance. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Mayor Pro-tem McGraw  
Councilmember Clifford  
Councilmember Salinas  
Councilmember Rhode  
Councilmember Williamson  
Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

MOTION: Councilmember Honeycutt moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Rhode seconded the motion.

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VOTE:        Ayes:     Councilmember Honeycutt  
                         Mayor Pro-tem McGraw  
                         Councilmember Clifford  
                         Councilmember Salinas  
                         Councilmember Rhode  
                         Councilmember Williamson  
                         Mayor Maxwell  
                 Nays:     None

ACTION: The motion carried unanimously.

10.B.3. Consider an ordinance amending the driveway locations and phasing in PUD No. 56 (Planned Unit Development). (Randall's Town Centre) (First Reading) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. Z-02-01-24-8B1, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 24, 2002, BY AMENDING SECTION 10.3, SECTION 10.3.4, EXHIBIT "C" AND EXHIBIT "D" OF PUD NO. 56, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Rhode moved to approve the ordinance. Councilmember Williamson seconded the motion.

VOTE:        Ayes:     Councilmember Honeycutt  
                         Mayor Pro-tem McGraw  
                         Councilmember Clifford  
                         Councilmember Salinas  
                         Councilmember Rhode  
                         Councilmember Williamson  
                         Mayor Maxwell  
                 Nays:     None

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ACTION: The motion carried unanimously.

MOTION: Councilmember Clifford moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Honeycutt seconded the motion.

VOTE:       Ayes:       Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford  
                                  Councilmember Salinas  
                                  Councilmember Rhode  
                                  Councilmember Williamson  
                                  Mayor Maxwell  
                  Nays:       None

ACTION: The motion carried unanimously.

10.B.4. Consider an ordinance rezoning 4.384 acres of land from District LI (Light Industrial) to District PUD No. 67 (Planned Unit Development). (First Reading) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.305(2), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 4.384 ACRES OF LAND OUT OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT LI (LIGHT INDUSTRIAL) TO PLANNED UNIT DEVELOPMENT (PUD) NO. 67.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Salinas seconded the motion.

VOTE:       Ayes:       Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford

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Councilmember Salinas

Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

MOTION: Councilmember Rhode moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Mayor Pro-tem McGraw  
Councilmember Clifford  
Councilmember Salinas  
Councilmember Rhode  
Councilmember Williamson  
Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

10.B.5. Consider an ordinance rezoning 0.3505 acres of land from District C-1 (General Commercial with Historic Overlay) to District C-1 (General Commercial). (504 N. Mays) (First Reading) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.401(2)(a), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 0.3505 ACRES OF LAND, OUT OF THE ANDERSON ADDITION, KNOWN AS 504 N. MAYS, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT C-1 (GENERAL COMMERCIAL WITH HISTORIC OVERLAY) TO DISTRICT C-1 (GENERAL COMMERCIAL).

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MOTION: Councilmember Salinas moved to approve the ordinance. Mayor Pro-tem McGraw seconded the motion.

VOTE:       Ayes:     Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford  
                                  Councilmember Salinas  
                                  Councilmember Rhode  
                                  Councilmember Williamson  
                                  Mayor Maxwell

                  Nays:     None

ACTION: The motion carried unanimously.

MOTION: Mayor Pro-tem McGraw moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Honeycutt seconded the motion.

VOTE:       Ayes:     Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford  
                                  Councilmember Salinas  
                                  Councilmember Rhode  
                                  Councilmember Williamson  
                                  Mayor Maxwell

                  Nays:     None

ACTION: The motion carried unanimously.

10.B.6. Consider an ordinance annexing 2.602 acres of land out of the Socrates Darling Survey. (501 Louis Henna Blvd.) (First Reading) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO WIT: 2.602 ACRES OF LAND, OUT OF THE SOCRATES DARLING SURVEY, ABSTRACT NO. 232, IN TRAVIS COUNTY, AND THE SOCRATES DARLING SURVEY, ABSTRACT NO. 876, AND THE MEMUCAN HUNT SURVEY, ABSTRACT NO. 314, IN WILLIAMSON COUNTY; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Clifford seconded the motion.

VOTE:           Ayes:       Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
  Councilmember Williamson  
  Mayor Maxwell

                  Nays:       None

ACTION: The motion carried unanimously.

MOTION: Councilmember Rhode moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE:           Ayes:       Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
  Councilmember Williamson

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Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

10.B.7. Consider an ordinance adopting original zoning of District C-1 (General Commercial) on 2.602 acres of land out of the Socrates Darling Survey. (501 Louis Henna Boulevard) (First Reading) Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.401(2)(a), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE 2.602 ACRES OF LAND, OUT OF THE SOCRATES DARLING SURVEY, ABSTRACT NO. 232, IN TRAVIS COUNTY, AND THE SOCRATES DARLING SURVEY, ABSTRACT NO. 876, AND THE MEMUCAN HUNT SURVEY, ABSTRACT NO. 314, IN WILLIAMSON COUNTY, TEXAS, AS DISTRICT C-1 (GENERAL COMMERCIAL).

MOTION: Councilmember Salinas moved to approve the ordinance. Councilmember Williamson seconded the motion.

VOTE: Ayes: Councilmember Honeycutt  
Mayor Pro-tem McGraw  
Councilmember Clifford  
Councilmember Salinas  
Councilmember Rhode  
Councilmember Williamson  
Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

MOTION: Councilmember Rhode moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Honeycutt seconded the motion.

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VOTE:           Ayes:     Councilmember Honeycutt  
                                  Mayor Pro-tem McGraw  
                                  Councilmember Clifford  
                                  Councilmember Salinas  
                                  Councilmember Rhode  
                                  Councilmember Williamson  
                                  Mayor Maxwell  
                  Nays:     None

ACTION: The motion carried unanimously.

RESOLUTIONS:

\*11.A.1. Consider a resolution authorizing a property tax refund to WWRR, Ltd. for 2005 taxes in the amount of \$561.55. This item was approved under the consent agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock is mandated by V.T.C.A., Tax Code §31.11 to refund, upon taxpayer application to the tax collector of its taxing unit and upon verification by the auditor of its taxing unit, any overpayment or erroneous payment of taxes; and

WHEREAS, if such amount exceeds \$500.00, then the governing body of the taxing unit must also determine that the payment was erroneous or excessive and must approve the refund, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the following named taxpayer, WWRR, Ltd. has made an overpayment or erroneous payment of 2005 taxes in the amount of \$561.55; that such amount is in excess of \$500.00; that such overpayment or erroneous payment has been verified by the Tax Collector; and that application for refund has been made to the Tax Collector by said taxpayers.

The Council further finds and makes a determination that the payment was erroneous or excessive; and further approves such refund in the amount of \$561.55.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 12th day of January, 2006.

11.B.1. Consider a resolution amending the Economic Development Program

Administration and Funding Agreement with the Round Rock Chamber of Commerce. Jim Nuse,

City Manager made the staff presentation. On September 22, 2005, the City approved an

Economic Development Program Administration Agreement with the Round Rock Chamber of



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Commerce. This item enhances that agreement with relatively minor operating changes. The changes include augmenting the size of the oversight committee, clarifying responsibilities of the committee and clarifying roles of personnel.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, §380.001 Texas Local Government Code provides that a municipality may establish a program to promote local economic development and to stimulate business and commercial activity in the municipality; and

WHEREAS, §380.001 also provides that the municipality may administer such program by the use of municipal personnel and may contract with another entity for the administration of a program; and

WHEREAS, the City of Round Rock ("City") and the Round Rock Chamber of Commerce ("Chamber") wish to develop a program to promote economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City and the Chamber on September 22, 2005 previously entered into an Economic Development Program Administration and Funding Agreement; and

WHEREAS, the City and the Chamber wish to amend the aforesaid September 22, 2005 Agreement to better reflect the duties of the Chamber and the relationship between the City and the Chamber; Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Amended Administration and Funding Agreement for the City of Round Rock Economic Development Program with the Chamber, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 12th day of January, 2006.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

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ACTION: The motion carried unanimously.

11.C.1. Consider a resolution authorizing the Mayor to execute an Agreement for the Temporary Closure of State Right-of-Way, U.S. 79, with the Texas Department of Transportation for the annual Texas Road Rash Inline Skating Marathon. Rick Atkins, Parks and Recreation Director made the staff presentation. The Texas Road Rash Inline Marathon is the first ever Inline Marathon in the State of Texas. The first few years of the event have been very successful and the participants have doubled in size to more than 160. This year it is anticipated that this number will increase into the 200's. The Texas Road Rash has the potential of being one of the key marathons in the Country. In fact, last year the Texas Road Rash was ranked the 8<sup>th</sup> best inline marathon in North America (in only its 2<sup>nd</sup> year). The goal of this event is to be one of the key marathons in the United States and help with the City's tourism efforts. As part of the marathon, Hwy 79 and CR 122 will be used and approval is needed from the Texas Department of Transportation. A requirement of the agreement is the approval of the event by the City Council.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the State of Texas, through the Texas Department of Transportation ("TxDOT") owns and operates a system of highways for public use, including US 79 in Round Rock, and

WHEREAS, the City of Round Rock Parks and Recreation Department has made a request to TxDOT that the right lane of US 79, westbound from CR 122 to Harrell Parkway be closed on March 26, 2006 from 5:00 o'clock a.m. to 1:00 o'clock p.m. for the Texas Road Rash Inline Skating Marathon ("Event"), and

WHEREAS, the City Council has determined that the Event will serve a legitimate public purpose, and

WHEREAS, City Council wishes to enter into an Agreement for the Temporary Closure of State Right-of-Way with TxDOT authorizing the closure of US 79 as set forth above, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Texas Road Rash Inline Skating Marathon will serve a legitimate public purpose, and

BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for the Temporary Closure of State Right-of-Way with the Texas Department of Transportation, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 12th day of January, 2006.

CITY COUNCIL MINUTES  
JANUARY 12, 2006

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Rhode seconded the motion.

VOTE:           Ayes:           Councilmember Honeycutt  
  Mayor Pro-tem McGraw  
  Councilmember Clifford  
  Councilmember Salinas  
  Councilmember Rhode  
  Councilmember Williamson  
  Mayor Maxwell  
                  Nays:           None

ACTION: The motion carried unanimously.

\*11.C.2. Consider a resolution authorizing the Mayor to execute an Agreement for Purchase of Printing Services for 4-Color Program Booklets from Ginny's Printing. This item was approved under the consent agenda.

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Round Rock has duly advertised for bids for printing the Parks and Recreation Department's Program Booklets, and

WHEREAS, Ginny's Printing has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of Ginny's Printing, Now Therefore BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Purchase of Printing Services for 4-Color Program Booklets with Ginny's Printing, a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 12th day of January, 2006.

COUNCIL COMMENTS: The Council welcomed Councilmember Williamson and encouraged everyone to participate in the city's 10-Year Plan exercise.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:07 p.m.

Respectfully Submitted,

CITY COUNCIL MINUTES  
JANUARY 12, 2006

Christine R. Martinez, City Secretary